

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ROBERT S. PHILPOTT

PLAINTIFF

v.

No. 2:16-CV-02222

SEBASTIAN COUNTY DETENTION
CENTER

DEFENDANT

ORDER

The Court has received a report and recommendations (Doc. 4) from United States Magistrate Judge James R. Marschewski. No objections have been filed and the time for objections has passed. The complaint makes no allegations of imminent danger of serious physical injury, and the Magistrate found that Plaintiff is prohibited by 28 U.S.C. § 1915(g) from filing a civil action in forma pauperis. The Magistrate recommends denial of in forma pauperis status, and dismissal without prejudice if Plaintiff fails to pay the filing fee within 30 days. After careful review, the Court concludes that the Magistrate's report and recommendations (Doc. 4) contains no clear error, and that it should be, and hereby is, ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Plaintiff's application to proceed in forma pauperis (Doc. 2) is DENIED, and Plaintiff is directed to pay the filing fee of \$400.00 by January 6, 2017. If Plaintiff fails to comply by that deadline, his case will be dismissed with prejudice for failure to obey a Court order.

IT IS SO ORDERED this 7th day of December, 2016.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE